

Application No. 10/670,213
Docket No. 87245.1680
Customer No. 30734



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
James Barnwell) Group Art Unit: 2753
Application No. 10/670,213) Examiner: Ljiljana V. Ciric
Filed: September 26, 2003)

For: REFRIGERATION-TYPE DRYER APPARATUS AND METHOD

RESPONSE TO RESTRICTION REQUIREMENT

United States Patent & Trademark Office
Customer Service Window, Mail Stop Amendment
Randolf Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Office Action dated October 11, 2005, Applicant respectfully requests reconsideration of this Office Action in light of the following remarks. In the Office Action, the Examiner required restriction under 35 U.S.C. §121 to one of the following groups:

Species 1. Figure 2.

Species 2. Figure 3.

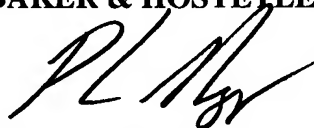
Species 3. Figure 4.

As set forth in M.P.E.P §803, there are two criteria for a proper requirement for restriction: 1) the inventions must be independent or distinct, and 2) there must be a serious burden on the Examiner if restriction is required. Applicant respectfully submits that the Examiner has made no showing that there would be a serious burden to examine all the embodiments of the application together. Further, at the Examiner's disposal are powerful electronic search engines providing the Examiner with the ability to quickly and easily search all the claims without being a serious burden to the Examiner.

In view of the above, Applicant respectfully requests withdrawal of the restriction requirement and an action on the merits of all embodiments.

However, to be fully responsive to the requirement, Applicant hereby elects Species 1, Figure 2 (claims 28-34). Applicant reserves the right to pursue the subject matter in this or another application.

Respectfully submitted,
BAKER & HOSTETLER LLP



Phong D. Nguyen
Reg. No. 43,833

Date: November 10, 2005
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1561
Facsimile: 202-861-1783